

Introduced by Senator Soto

February 22, 2005

An act relating to state employees, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 699, as introduced, Soto. State employees: memoranda of understanding.

Under existing law, a provision of a memorandum of understanding reached between the state employer and a recognized employee organization representing state civil service employees that requires the expenditure of funds does not become effective unless approved by the Legislature in the annual Budget Act.

This bill would approve provisions that require the expenditure of funds of memoranda of understanding entered into between the state employer and State Bargaining Units 1, 3, 4, 11, 14, 15, 17, 20, and 21, and would provide that these provisions will become effective even if these provisions are approved by the Legislature in legislation other than the annual Budget Act.

The bill would provide that provisions of the memoranda of understanding approved by this bill that require the expenditure of funds will not take effect unless funds for these provisions are specifically appropriated by the Legislature, and would require the state employer and the affected employee organization to meet and confer to renegotiate the affected provisions if funds for these provisions are not specifically appropriated by the Legislature.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares that the
2 purpose of this act is to approve agreements pursuant to Section
3 3517 of the Government Code entered into by the state employer
4 and recognized employee organizationService Employees
5 International Union, Local 1000.

6 SEC. 2. The provisions of the memoranda of understanding
7 prepared pursuant to Section 3517.5 of the Government Code
8 and entered into by the state employer and the following
9 employee organizations, and that require the expenditure of
10 funds, are hereby approved for the purposes of Section 3517.6 of
11 the Government Code:

12 (a) State Bargaining Unit 1, Service Employees International
13 Union, Local 1000.

14 (b) State Bargaining Unit 3, Service Employees International
15 Union, Local 1000.

16 (c) State Bargaining Unit 4, Service Employees International
17 Union, Local 1000.

18 (d) State Bargaining Unit 11, Service Employees International
19 Union, Local 1000.

20 (e) State Bargaining Unit 14, Service Employees International
21 Union, Local 1000.

22 (f) State Bargaining Unit 15, Service Employees International
23 Union, Local 1000.

24 (g) State Bargaining Unit 17, Service Employees International
25 Union, Local 1000.

26 (h) State Bargaining Unit 20, Service Employees International
27 Union, Local 1000.

28 (i) State Bargaining Unit 21, Service Employees International
29 Union, Local 1000.

30 SEC. 3. The provisions of the memoranda of understanding
31 approved by Section 2 of this act that are scheduled to take effect
32 on or after July 1, 2005, and that require the expenditure of
33 funds, shall not take effect unless funds for these provisions are
34 specifically appropriated by the Legislature. If funds for these
35 provisions are not specifically appropriated by the Legislature,
36 the state employer and the affected employee organization shall
37 meet and confer to renegotiate the affected provisions.

1 SEC. 4. Notwithstanding Section 3517.6 of the Government
2 Code, the provisions of any memorandum of understanding
3 included in Section 2 that require the expenditure of funds shall
4 become effective even if the provisions of the memorandum of
5 understanding are approved by the Legislature in legislation
6 other than the annual Budget Act.

7 SEC. 5. This act is an urgency statute necessary for the
8 immediate preservation of the public peace, health, or safety
9 within the meaning of Article IV of the Constitution and shall go
10 into immediate effect. The facts constituting the necessity are:

11 In order for the provisions of this act to be applicable as soon
12 as possible in the 2005–06 fiscal year, and thereby facilitate the
13 orderly administration of state government at the earliest possible
14 time, it is necessary that this act take effect immediately.